

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

The Town Council of the Town of Tiverton, County and State aforesaid held a Special Town Council Meeting/Workshop at the Tiverton Town Hall, 343 Highland Road on Monday, the 4th day of May 2009 at 7:00 p.m.

MEMBERS PRESENT:

President Bollin, Councilor Costa, Councilor Lambert, Councilor Leonard and Councilor Roderick Vice President Arruda and Councilor Durfee were absent
Town Administrator Goncalo, Town Clerk Nancy L. Mello and Solicitor Teitz were also present.

SPECIAL MEETING AGENDA:

Financial Town Meeting

Town Clerk Nancy Mello updated the Council on the process and logistics of the Financial Town Meeting (FTM). As voters are checked in they will receive an orange wristband and a ballot for Moderator. Before entering the gymnasium the voted ballots can be cast in the gray boxes if they so choose. A table will be set up just outside the gym with privacy sleeves and booths. The ballot boxes will be brought to the Town Hall after the vote. When the Meeting has a quorum an additional opportunity to vote for Moderator will be given to those who did not have time to vote. Being done to simplify and keep the process moving. Should a ballot vote be approved by a majority the Moderator will call for sections to proceed in an orderly manner to the right side door of the gym.

The ballots will be counted by the voting machine, "Eagle". Cannot put someone else's ballot in the Eagle. Board of Canvassers (BOC) will tally and bring slips to the Moderator. All ballots will be removed and placed in special bags, returned to the Town Hall. Only given one ballot, unlawful to take out of the building. President Bollin noted the issues that arise with voting are strictly a matter for the BOC. Council should not get involved. A section will be set up for the Press; non-registered voters proceed to the auditorium. Solicitor Teitz noted under a recent opinion of the Attorney General, determined Open Meeting does not apply to the FTM.

Councilor Leonard made a motion, seconded by Councilor Roderick to adjourn the Special Meeting. Motion passed unanimously.

CLOSED EXECUTIVE SESSION

Town Solicitor – Litigation – 42-46-5(a)(2)

Solicitor informed no litigation matters for discussion this evening.

Executive Session was not held.

Meeting adjourned at approximately 9:00 p.m.

A True Copy.

ATTEST:

Nancy L. Mello, Town Clerk

1. Discussion of Comprehensive Community Plan Update and Proposed Revisions Required by State for Final Approval

2. Town Planner Presentation on Proposed Zoning Updates

1. Discussion of Comprehensive Community Plan Update and Proposed Revisions Required by State for Final Approval

Councilor Leonard suggested looking at the new language, doesn't flow, a difference in presentation from 2006 language. Town Planner, Christopher Spencer, noted all the changes were there, highlighted in bold, additions in response to State Agencies. Councilor Leonard wondered to what degree we need to listen to State Agencies. Solicitor Teitz noted this is supposed to be a collaborative process; agencies read the comments, goes to the Town and back to the agencies again. There is an appeal process within 15 days, not dictatorial, strongly recommend work together

On page 60, the second to the last paragraph, Councilors Bollin, Costa and Leonard were not comfortable with the language referencing to State Land Use Policies and Plan. Councilor Bollin suggested we develop a policy that is best for Tiverton, not the State. Solicitor Teitz noted need to have a plan comparable to neighboring communities, State says Tiverton inconsistent, how do we address the State's concerns. Councilor Bollin wanted to leave out the wording State's Land Use Policies, thinks the Planning Board has a better idea of land use for Tiverton. Mr. Spencer noted Land Use 2025 is used in Comp Plan for the State, and includes Smart Growth principles.

Councilor Bollin noted it was not critical to the Comp Plan, wanted to be sure generic statement won't come back to haunt the Town. Consensus was to remove the references to State Land Use Policies. Also on page 60, add *existing* before *water and sewer infrastructure*.

Discussion of the GIS (Geographic Information System) and Transfer Development Rights (TDR) program followed. Mr. Spencer thought it made sense to do infield development, most in the North End. Councilor Costa opposed excessive government controls. Councilor Bollin saw the GIS as the latest tool, doesn't see as a State mandate. According to Mr. Spencer, TDR depends on the community, looks at critical areas, tool to sell development rights and goes with the land. Solicitor Teitz noted a TDR not a new concept.

Councilor Bollin saw it as an opportunity to leave open space undeveloped, create more affordable housing, workable concept. Councilor Leonard was skeptical. The rest of the recommended updates were reviewed. See Proposed Revisions to Adopted Comprehensive Community Plan (for Workshop-May 4, 2009) in Council Packet containing the additional recommendations.

Councilor Roderick wanted to make sure the language reflects the discussed changes.

2. Town Planner Presentation on Proposed Zoning Updates

Chris Spencer, provided ideas of possible zoning changes. Should create interim steps to redeveloping parcels. Nothing was distributed at this time. Used the North End as an example. Currently there is no incentive to redevelop in that area based on current zoning. Entire Zoning Code should be reviewed for consistency in conjunction with the Comp Plan. After the May Planning Board meeting, the recommended amendments will be forwarded to the Council.

Chris Spencer, Town Planner, gave a slide view presentation on proposed zoning changes to a form based code, provides steps to redeveloping parcels, trying to design a development review process. Form based zoning looks at the entire area.

Workshop ended at approximately 9:00 p.m.

